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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 TODD MITCHELL LEAVITT,

10 Petitioner,

11 vs.

12 JO GENTRY, et al.,

13 Respondents.
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Case No. 2:16-cv-02755-RFB-GWF

ORDER

15 Petitioner has submitted an application to proceed in forma pauperis (ECF No. 1) and a
16 petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court finds that petitioner
17 receives deposits to his account frequently enough to pay the full filing fee of five dollars (\$5.00).

18 IT IS THEREFORE ORDERED that the application to proceed in forma pauperis (ECF No.
19 1) is **DENIED**. Petitioner shall have thirty (30) days from the date that this order is entered to have
20 the filing fee of five dollars (\$5.00) sent to the clerk of the court. Failure to comply will result in the
21 dismissal of this action.

22 IT IS FURTHER ORDERED that the clerk of the court shall send petitioner two copies of
23 this order. Petitioner is ordered to make the necessary arrangements to have one copy of this order
24 attached to the check paying the filing fee.

25 DATED: February 26, 2017.

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28 RICHARD F. BOULWARE, II
United States District Judge